

Article - Public Safety

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§4–401.

(a) (1) In this section the following words have the meanings indicated.

(2) “Forensic laboratory” means a facility, an entity, or a site that offers or performs forensic analysis and is owned or operated by the State, a county or municipal corporation in the State, or another governmental entity.

(3) “Fund” means the Rape Kit Testing Grant Fund.

(4) “Law enforcement agency” means the Department of State Police or a police department of a county or municipal corporation in the State.

(b) There is a Rape Kit Testing Grant Fund.

(c) The purpose of the Fund is to provide law enforcement agencies with funding to pay for testing of sexual assault evidence collection kits by forensic laboratories.

(d) The Executive Director of the Governor’s Office of Crime Control and Prevention shall:

(1) administer the Fund;

(2) establish and publish procedures for the distribution of funding to law enforcement agencies;

(3) ensure each jurisdiction in the State that has a forensic laboratory is able to access the Fund;

(4) consider the number of sexual assault incidents that were investigated by a law enforcement agency in the prior fiscal year when distributing funding; and

(5) submit a report with information on the distribution of funding to the General Assembly, in accordance with § 2–1246 of the State Government Article, before September 1 each year.

(e) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(2) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(f) The Fund consists of:

- (1) money appropriated in the State budget to the Fund;
- (2) any interest earnings of the Fund; and
- (3) any other money from any other source accepted for the benefit of the Fund.

(g) The Fund may be used only for equipment, supplies, personnel, and outsourcing necessary for the testing of sexual assault evidence collection kits in forensic laboratories.

(h) (1) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(2) Any interest earnings of the Fund, including interest earnings under subsection (f) of this section, shall be credited to the Fund.

(i) Expenditures from the Fund may be made only in accordance with the State budget.

(j) Money expended from the Fund for testing of sexual assault evidence collection kits is supplemental to and is not intended to take the place of funding that otherwise would be appropriated for testing of sexual assault evidence collection kits.

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